



OFFICIAL MINUTES BOARD OF AJUSTMENTS

February 3, 2010

Members present: Malcolm Hodnett, Gary McNeal, Nathan Oubre, and Rudy Soignet
Members absent: Clarence Savoie and Mark Tortorich
Also Present: Eric Faucheaux, Public Works Director, Errol Price, Zoning Administrator and Ruby Maggio, Secretary

Mr. Hodnett stated we have the meeting minutes from our October 28, 2009 meeting, do we have any changes, questions or do I have a motion to dispense with the reading and approve, a motion to approve was made by Mr. Soignet and seconded by Mr. McNeal, all members were in favor, motion carried. Mr. Hodnett stated we also have meeting minutes from the December 23, 2009 meeting, do we have a motion to accept, motion was made by Mr. Oubre and seconded by Mr. Soignet, all members were in favor, motion carried.

The first item on the agenda was to consider a request by Sheard A. Ber to be allowed to waive parking requirements at 716 Canal Boulevard (R-3 Zoning District). Mr. Sheard Ber of 717 St. Philip Street came forward and stated that I would like the parking requirements to be lifted for 716 Canal Boulevard. The reasons being number one, when the building was built there was no zoning then and the business was there for years, the second thing is if you can't utilize it as a business the value of the building is going to go way down and the third thing is there are other businesses in the area in R-3 that don't meet the parking restrictions that are in effect. Mr. Hodnett stated I don't have a sketch but is the building an "L" shaped building? Mr. Ber replied right, yes. Mr. Hodnett stated so when we're looking at it you have the little garage that we have in our picture, that is the metal sheet garage and behind that is the other part of the "L". Mr. Ber replied correct, right. Mr. Hodnett stated then you kind of run behind the house next door. Mr. Ber replied yes, the properties overlap. Mr. Hodnett stated and right now you're just looking to try to lease it. Mr. Ber replied yes, just the part that is on Canal, the rest of it we use personally. Mr. Hodnett stated do you think you'll keep the little garage or is that something... Mr. Ber stated our intention is if we can get a variance, the intention is to take it down because it is getting old and it is rusty and I'd like to improve what is going on. Mr. Hodnett replied right, because that is not quite, or is it wide enough for two cars. Mr. Ber replied you most probably could put two side by side. Mr. Hodnett stated so I guess in a sense if you were to count parking spaces, if you take that down you'd have, it is probably deep enough for two spots and then you could park two cars behind those two cars so you could have four on site. Mr. Hodnett then asked if there were any comments from the Board. Mr. Soignet asked what is the intent of the building - is it a business? Mr. Ber stated we are renting apartments on top because that is where the family lived. Mr. Soignet stated do they park in the back. Mr. Ber replied no, they park in the street. Mr. Soignet asked what side. Mr. Ber replied in the front on Canal. Mr. Hodnett asked if the entire second floor was apartments. Mr. Ber replied no, it is just two, it is a duplex. Mr. Hodnett replied oh, just the front part facing Canal. Mr. Ber replied yes, the rest of it is a warehouse, it is all wide open. Mr. Hodnett stated now you have the back of your "L" behind the garage; that is a warehouse - that is an open space warehouse. Mr. Ber replied yes, nothing is finished there, that is storage for the family. Mr. Hodnett stated so really the rental space is the lot on the other street. Mr. Ber replied that is correct where the original store was. Mr. Hodnett asked if there were any comments from the Board? Mr. Soignet stated so the people who live on top, they park on Canal Boulevard. Mr. Ber replied one of them park in the driveway and one of them parks on the street. Mr. Soignet asked if that was legal, I guess it is. Mr. Ber stated yes there is parking there for church every morning. Mr. Soignet stated if you take the garage down I guess would that allow ample parking space for the tenants to park. Mr. Ber replied I'm sure and my intentions are to take down the garage and pave the whole area in order to be able to have some more room, and you could make possibly some parallel parking. Mr. Hodnett then asked if there were any other comments from the audience, no one responded. He then asked if there were any comments or was there a motion from the Board. Mr. Oubre made a motion to allow the variance and it was seconded by Mr. McNeal, all members were in favor, motion carried. Mr. Hodnett replied good luck to you. Mr. Ber replied all right, thank you, I appreciate it.

The second item on the agenda was to consider a request by Herman Duncan to vary 8" from required maximum height of 30" for side yard setback requirement to be allowed to maintain brick wall constructed to secure trash can area at 1060 Canal Boulevard (R-3 Zoning District). Mr. Herman Duncan of 1060 Canal Boulevard came forward and stated that he just wanted to make presentable a nice place to keep the garbage from flying all over the city streets from my building on Jackson St. Mr. Hodnett stated now the concrete block enclosure, Errol, you counted the 30" from the paved area, because it looks like you've got four heights of block which would be 32" and then it looks

like 4" of concrete slab which would be 36" and then we have two inches. Mr. Price stated I measured it and he has 8", he's at 38". Mr. Hodnett stated and then that is open to Jackson St. Mr. Duncan replied yes, sir. Mr. Soignet stated what happened, he built it... Mr. Price replied yes, I passed by and it was built. Mr. Soignet stated you had built it not knowing. Mr. Duncan replied yes, sir. Mr. Hodnett stated does it otherwise meet code, since it is enclosed you don't need necessarily a print. Mr. Price stated replied no, the only violation he has is the height because of the setbacks, if he'd be 30" he wouldn't have to come here. Mr. Oubre stated it looks presentable for the area and I have no problems with it. Mr. Hodnett asked if he planned to put gates on it on the Jackson St. side. Mr. Duncan stated he was going to leave it open so he could get in and out to bring the trash cans. Mr. McNeal stated so in this situation here, you bought the base or... Mr. Duncan stated there was a slab there. Mr. McNeal stated and you just started building this trash bin and just went ahead without a permit, just went ahead and built it. Mr. Duncan replied yes, sir. Mr. Price replied if he would be lower, if he would be at 30" or lower he wouldn't need a permit either that is why it really wasn't a violation, it was just a matter of the height. Mr. Duncan stated I went that following Monday to Mr. Prices' office and got with him and I got a copy of all the permits so that way I can know what I can do and what I cannot do. Mr. McNeal stated you talked about building this so the trash wouldn't go on the streets and all, so you're going to leave that other end open. Mr. Duncan stated it is going to have a garbage can there, I couldn't understand how Mr. Lee had it just on a piece of slab and anybody could go and knock it down or the dogs could knock it down. Mr. Soignet stated your height - the reason for the height is because of the height of the containers or something, if you lower it would it then be exposed? Mr. Duncan stated what is that? Mr. Soignet stated your trash. Mr. Duncan stated we have a lot of trash and it gets higher than that, a lot of time I've got to stand on top of it and just pack it good and in two weeks time or a week's time when you start getting beer cases and boxes and food and stuff it fills up pretty quick. Mr. Hodnett asked if there were any comments from the audience, no one responded. He then asked if there were any further comments or a motion from the board. Mr. Soignet made a motion to accept the variance requested and the motion was seconded by Mr. Oubre, all members were in favor, motion carried. Mr. Hodnett stated great, perfect, all right, thanks. Mr. Duncan replied thank you all.

Mr. Hodnett stated to I have a motion to adjourn, motion was made by Mr. Oubre and seconded by Mr. Soignet, all members were in favor, meeting adjourned.